

JUN 21 2004

WOOD, HERRON & EVANS, L.L.P.

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PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

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HENRY M. LABODA, PH.D.

June 21, 2004

FACSIMILE COVER SHEET

To: Examiner Gabriel L. Chu
Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22213-1450

From: Scott A. Stinebruner
Reg. No. 38,323

Re: U.S. Patent Application
Serial No. 09/827,804
Filed: April 6, 2001
Applicant: Timothy Roy Block et al.
Art Unit: 2114
Confirmation No.: 6868
Our Ref: IBM/180

Fax: 703-872-9306

Enclosures:

Fax Cover Sheet containing Certificate of
Facsimile Transmission (1 page)
Transmittal containing Certificate of
Facsimile Transmission (2 pages)
Amendment After Final (10 pages)

Pages: 13 (including cover sheet)

MESSAGE/COMMENTS
OFFICIALCERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence and the enclosures noted herein (13 total pages) are being transmitted via facsimile transmission to Examiner Gabriel L. Chu, Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22213-1450 at 703-872-9306 on June 21, 2004.

Judith L. Volk
Judith L. Volk

June 21, 2004
Date

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If transmission is interrupted or of poor quality, please notify us immediately by calling (513) 241-2324 and ask for the sender's assistant. OUR FAX NUMBER IS (513) 241-6234.

PATENT
Att'y Docket No. IBM/180/124
Confirmation No. 6868

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Judith L. Volk
Judith L. Volk

June 21, 2004
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Timothy Roy Block et al.	Art Unit: 2114
Serial No.: 09/827,804	Examiner: Gabriel L. Chu
Filed : April 6, 2001	
For : NODE SHUTDOWN IN CLUSTERED COMPUTER SYSTEM	

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. ☒ Transmitted herewith is an Amendment After Final.
2. ☐ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ Enclosed is a verified statement to establish Small Entity status
- ☒ Other than a Small Entity
3. The fee has been calculated as shown below:

CALCULATION OF FEES

Fee:	Number of Claims After Amendment:		Previously Paid For:	No. Extra:	At Rate:	Amount:
Total Claims	28	minus	30	0	\$18	\$0.00
Independent Claims	5	minus	5	0	\$86	\$0.00
MULTIPLE DEPENDENT CLAIM FEE					\$290	\$0.00
TOTAL FEE FOR CLAIMS:						\$0.00

- ☒ No additional fee for claims is required.

Page 1 of 2
Serial No. 09/827,804
Transmittal for Amendment After Final of June 21, 2004
IBM Docket: ROC92000312US1
WH&E IBM/180
V:\Client\IBM\Amendment After Final Transmittal and

4. ☐ Attached is a check in the sum of \$_____ for additional claims.
☐ Please charge my Deposit Account No. 23-3000 in the amount of \$_____.

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.

- ☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

	<u>Ext. Mos.</u>	<u>Large entity</u>	<u>Small entity</u>
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 420.00	\$ 210.00
<input type="checkbox"/>	three months	\$ 950.00	\$ 475.00
<input type="checkbox"/>	four months	\$1,480.00	\$ 740.00
<input type="checkbox"/>	five months	\$2,010.00	\$1,005.00

Extension fee due with this request:

\$ _____

Method of Payment:

Check enclosed in the amount of \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured and the fee paid thereof of \$_____ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$_____.

OR

- ☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

6. ☒ If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By:



Scott A. Stinebruner
Reg. No. 38,323

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Applicant: Timothy Roy Block et al.

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For: NODE SHUTDOWN IN CLUSTERED COMPUTER SYSTEM

AMENDMENT AFTER FINAL

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Final Office Action dated May 25, 2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 9 of this paper.

Page 1 of 10
Serial No. 09/827,804
Amendment After Final dated June 21, 2004
Reply to Office Action of May 25, 2004
IBM Docket ROC920000312US1
WH&E IBM/180
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